

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01366-BAH**

CENTER FOR FOOD SAFETY v. UNITED STATES
DEPARTMENT OF THE INTERIOR
Assigned to: Chief Judge Beryl A. Howell
Cause: 05:552 Freedom of Information Act

Date Filed: 06/08/2018
Date Terminated: 10/25/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**CENTER FOR FOOD SAFETY**

represented by **Kellan Smith**
PUBLIC JUSTICE, P.C.
1620 L Street, NW
Suite 630
Washington, DC 20036
(510) 622-8209
Fax: (202) 232-7203
Email: ksmith@publicjustice.net
TERMINATED: 03/22/2019
PRO HAC VICE

George A. Kimbrell
CENTER FOR FOOD SAFETY
2009 NE Alberta Street
Suite 207
Portland, OR 97211
(917) 271-7372
Fax: (917) 271-7374
Email: gkimbrell@centerforfoodsafety.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant**UNITED STATES DEPARTMENT
OF THE INTERIOR**

represented by **John Moustakas**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2518
Email: john.moustakas@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Melanie Dyani Hendry
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2510
Fax: (202) 252-2599
Email: melanie.hendry2@usdoj.gov
TERMINATED: 08/07/2019

Date Filed	#	Docket Text
------------	---	-------------

06/08/2018	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF THE INTERIOR (Filing fee \$ 400 receipt number 0090-5524668) filed by CENTER FOR FOOD SAFETY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Kimbrell, George) (Attachment 1 replaced on 6/11/2018) (zmd). (Entered: 06/08/2018)
06/08/2018	<u>2</u>	Corporate Disclosure Statement by CENTER FOR FOOD SAFETY. (Kimbrell, George) (Entered: 06/08/2018)
06/08/2018	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Kellan Smith, :Firm- Center for Food Safety, :Address- 303 Sacramento Street, 2nd Floor, San Francisco, CA 94111. Phone No. - 415-826-2770. Fax No. - 415-826-0507 Filing fee \$ 100, receipt number 0090-5524806. Fee Status: Fee Paid. by CENTER FOR FOOD SAFETY (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Kimbrell, George) (Entered: 06/08/2018)
06/08/2018		Case Assigned to Chief Judge Beryl A. Howell. (zmd) (Entered: 06/11/2018)
06/11/2018	<u>5</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF THE INTERIOR, U.S. Attorney and U.S. Attorney General (zmd) (Additional attachment(s) added on 6/14/2018: # <u>1</u> Notice and Consent) (zmd). (Entered: 06/11/2018)
06/12/2018	<u>4</u>	STANDING ORDER. Signed by Chief Judge Beryl A. Howell on June 12, 2018. (lcbah2) (Entered: 06/12/2018)
06/12/2018		MINUTE ORDER (paperless) GRANTING the plaintiff's <u>3</u> Motion for Admission of Attorney <i>Pro Hac Vice</i> of Kellan Smith. Kellan Smith may enter an appearance <i>pro hac vice</i> for the purpose of representing the plaintiff in this action. Signed by Chief Judge Beryl A. Howell on June 12, 2018. (lcbah2) (Entered: 06/12/2018)
07/02/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/27/2018. (Answer due for ALL FEDERAL DEFENDANTS by 7/27/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 6/25/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF THE INTERIOR served on 6/25/2018 (Attachments: # <u>1</u> Exhibit)(Smith, Kellan) (Entered: 07/02/2018)
07/26/2018	<u>7</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF THE INTERIOR.(Hendry, Melanie) (Entered: 07/26/2018)
08/09/2018	<u>8</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Hendry, Melanie) (Entered: 08/09/2018)
08/10/2018		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties <u>8</u> Joint Status Report, that the parties file, by September 7, 2018, a further joint status report with a proposed schedule for the filing of any dispositive motions. Signed by Chief Judge Beryl A. Howell on August 10, 2018. (lcbah2) (Entered: 08/10/2018)
08/13/2018		Set/Reset Deadlines: Joint Status Report due by 9/7/2018. (tg) (Entered: 08/13/2018)
09/07/2018	<u>9</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Hendry, Melanie) (Entered: 09/07/2018)
09/18/2018		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>9</u> Joint Status Report, that the parties file, by October 19, 2018, a further joint status report with a proposed schedule for the filing of any dispositive motions. Signed by Chief Judge Beryl A. Howell on September 18, 2018. (lcbah2) (Entered: 09/18/2018)
09/18/2018		Set/Reset Deadlines: Joint Status Report due by 10/19/2018. (tg) (Entered: 09/18/2018)
10/16/2018	<u>10</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Hendry, Melanie) (Entered: 10/16/2018)
10/17/2018		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>10</u> Joint Status Report, that the parties file, by November 19, 2018, a further joint status

		report with a proposed schedule for the filing of any dispositive motions. Signed by Chief Judge Beryl A. Howell on October 17, 2018. (lcbah2) (Entered: 10/17/2018)
10/17/2018		Set/Reset Deadlines: Joint Status Report due by 11/19/2018. (tg) (Entered: 10/17/2018)
11/19/2018	<u>11</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Hendry, Melanie) (Entered: 11/19/2018)
11/20/2018		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>11</u> Joint Status Report, that the parties file, by December 19, 2018, a further joint status report with a proposed schedule for the filing of any dispositive motions. Signed by Chief Judge Beryl A. Howell on November 20, 2018. (lcbah2) (Entered: 11/20/2018)
11/20/2018		Set/Reset Deadlines: Joint Status Report due by 12/19/2018. (tg) (Entered: 11/20/2018)
12/19/2018	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Hendry, Melanie) (Entered: 12/19/2018)
12/19/2018		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>12</u> Joint Status Report, that the parties file, by January 28, 2019, a further joint status report with a proposed schedule for the filing of any dispositive motions. Signed by Chief Judge Beryl A. Howell on December 19, 2018. (lcbah2) (Entered: 12/19/2018)
12/20/2018		Set/Reset Deadlines: Joint Status Report due by 1/28/2019. (ztg) (Entered: 12/20/2018)
01/28/2019	<u>13</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Smith, Kellan) (Entered: 01/28/2019)
01/29/2019		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>13</u> Joint Status Report, that the parties file, by February 28, 2019, a further joint status report with a proposed schedule for the filing of any dispositive motions. Signed by Chief Judge Beryl A. Howell on January 29, 2019. (lcbah2) (Entered: 01/29/2019)
01/29/2019		Set/Reset Deadlines: Joint Status Report due by 2/28/2019. (tg) (Entered: 01/29/2019)
02/11/2019	<u>14</u>	NOTICE of Change of Address by George A. Kimbrell (Kimbrell, George) (Entered: 02/11/2019)
02/28/2019	<u>15</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Smith, Kellan) (Entered: 02/28/2019)
03/01/2019		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>15</u> Joint Status Report, that the parties file, by March 28, 2019, a further joint status report with a proposed schedule for the filing of any dispositive motions. Signed by Chief Judge Beryl A. Howell on March 1, 2019. (lcbah2) (Entered: 03/01/2019)
03/04/2019		Set/Reset Deadlines: Joint Status Report due by 3/28/2019. (tg) (Entered: 03/04/2019)
03/22/2019	<u>16</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to CENTER FOR FOOD SAFETY. Attorney Kellan Smith terminated. (Smith, Kellan) (Entered: 03/22/2019)
03/28/2019	<u>17</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Hendry, Melanie) (Entered: 03/28/2019)
03/28/2019		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>17</u> Joint Status Report, that if this matter has not yet been settled, the parties file, by April 26, 2019, a joint status report proposing a schedule for the filing of any motions about an award of costs and fees. Signed by Chief Judge Beryl A. Howell on March 28, 2019. (lcbah1) (Entered: 03/28/2019)
03/29/2019		Set/Reset Deadlines: Joint Status Report due by 4/26/2019. (hmc) (Entered: 03/29/2019)
04/26/2019	<u>18</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Hendry, Melanie) (Entered: 04/26/2019)
04/29/2019		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>18</u> Joint Status Report, that the parties file, by May 23, 2019, a further joint status report

		with a proposed schedule for the filing of any dispositive motions. Signed by Chief Judge Beryl A. Howell on April 29, 2019. (lcbah2) (Entered: 04/29/2019)
04/29/2019		Set/Reset Deadlines: Joint Status Report due by 5/23/2019. (tg) (Entered: 04/29/2019)
05/23/2019	<u>19</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Hendry, Melanie) (Entered: 05/23/2019)
05/27/2019		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>19</u> Joint Status Report, that the parties file, by June 24, 2019, a further joint status report with a proposed schedule for the filing of any dispositive motions, unless a joint stipulation of dismissal has been filed by that date. Signed by Chief Judge Beryl A. Howell on May 27, 2019. (lcbah2) (Entered: 05/27/2019)
05/28/2019		Set/Reset Deadlines: Joint Status Report due by 6/24/2019, unless a joint stipulation of dismissal has been filed by that date. (tg) (Entered: 05/28/2019)
06/24/2019	<u>20</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Hendry, Melanie) (Entered: 06/24/2019)
06/24/2019		MINUTE ORDER (paperless) ISSUING, upon consideration of the parties' <u>20</u> Joint Status Report, the following SCHEDULING ORDER: (1) by October 4, 2019, the plaintiff Center for Food Safety shall file its motion for fees and costs, unless a joint stipulation of dismissal has been filed before that date; (2) by November 1, 2019, the defendant Department of Interior shall file its opposition; and (3) by November 22, 2019, the plaintiff shall file its reply. Signed by Chief Judge Beryl A. Howell on June 24, 2019. (lcbah2) (Entered: 06/24/2019)
06/25/2019		Set/Reset Deadlines: Plaintiff's motions for fees and costs due by 10/4/2019; defendant's opposition due by 11/1/2019; plaintiff's reply due by 11/22/2019. (tg) (Entered: 06/25/2019)
08/07/2019	<u>21</u>	NOTICE OF SUBSTITUTION OF COUNSEL by John Moustakas on behalf of UNITED STATES DEPARTMENT OF THE INTERIOR Substituting for attorney Melanie Hendry (Moustakas, John) (Entered: 08/07/2019)
10/03/2019	<u>22</u>	NOTICE of Settlement <i>in Principle</i> by CENTER FOR FOOD SAFETY (Kimbrell, George) (Entered: 10/03/2019)
10/24/2019	<u>23</u>	STIPULATION of Dismissal <i>with Prejudice</i> by CENTER FOR FOOD SAFETY. (Kimbrell, George) (Entered: 10/24/2019)
10/25/2019		MINUTE ORDER (paperless) DIRECTING the Clerk of Court to close this case in light of the parties' <u>23</u> Stipulation of Dismissal with Prejudice dismissing the case, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). Signed by Chief Judge Beryl A. Howell on October 25, 2019. (lcbah2) (Entered: 10/25/2019)